

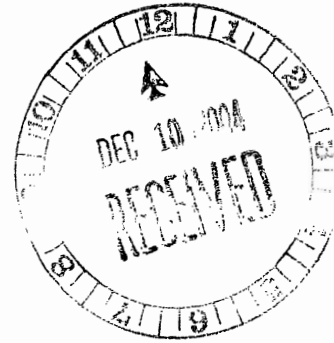
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# United States Senate

WASHINGTON, DC 20510-2603  
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COMMITTEES:  
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BUDGET  
COMMERCE, SCIENCE, AND  
TRANSPORTATION  
ENERGY AND NATURAL  
RESOURCES  
SMALL BUSINESS

December 1, 2004



Surface Transportation Board  
Attn: Kenneth Blodgett  
Case Control Unit  
Washington, DC 20423-0001

RE: STB Docket No. FD 30186 (Sub-No. 3)

Dear Mr. Blodgett:

I am writing to restate my support for the Surface Transportation Board's ("Board") approval of the Tongue River Railroad Company, Inc. ("TRRC") application for authority to construct and operate the Western Alignment. The Western Alignment is being proposed to replace the southernmost 17 miles of the Four Mile Creek alternative alignment approved by the Board in 1996. The Draft Supplemental Environmental Impact Statement ("Draft SEIS") issued by the Board on October 15, 2004 addresses the environmental effects and the mitigation measures associated with the construction and operation of the Western Alignment.

On previous occasions, I have filed statements of strong support for the Tongue River Railroad project. I have applauded the Board for approving the extension of the TRR project from Ashland, Montana to Decker. In my opinion, approval of the Western Alignment in place of the Four Mile Creek alternative provides for the design, construction and operation of the most efficient rail alignment between Miles City, Montana and the Spring Creek mine spur. The Western Alignment is by far the most efficient rail alignment from an operating and maintenance standpoint and certainly the most capable of serving the energy needs of this country. With the mitigation measures proposed by the Board in the Draft SEIS, the construction and operation of the Western Alignment ensures the protection of our state's important natural resources.

I currently serve on U.S. Senate Committees on Appropriations, Commerce, Science and Transportation, and, Energy and Natural Resources. One of my goals as a member of these committees is to ensure that dependable, economic rail transportation services are available for the transport of Montana's agricultural and natural resource products.

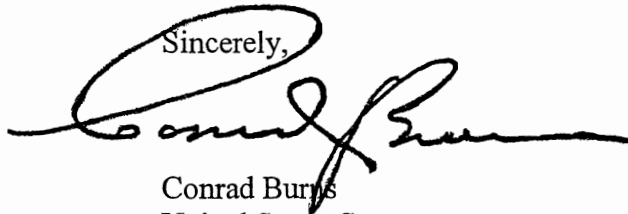
In April of 2002, the State of Montana became a major stakeholder in the coal assets to be served by the Tongue River Railroad project as a result of the Crown Butte Exchange legislation. I supported the Crown Butte legislation which resulted in the

Federal government transferring to the State of Montana the mineral ownership to 533 million tons of economic coal beneath Otter Creek Tracts 1, 2 and 3. I also applaud efforts by the 2003 Montana legislative session to pass legislation to fund development drilling, coal quality analysis and cultural surveys. The rail transportation infrastructure offered by the approved Tongue River Railroad and the proposed Western Alignment is essential to ensure the State of Montana recognizes the value of its coal assets contemplated by the transfer of federal coal resources to the State.

I continue to fully support the Tongue River Railroad project and the Western Alignment application. The Western Alignment presents the best balance between meeting environmental requirements and providing efficient, economic, reliable and safe operating rail transportation.

I urge the Board's careful deliberation and approval of the Western Alignment application in Finance Docket No. 30186 (Sub-No. 3).

Sincerely,

A handwritten signature in black ink, appearing to read "Conrad Burns", written over a horizontal line.

Conrad Burns  
United States Senator

cc. Roger Nober, Chairman